

REMARKS/ARGUMENTS

The present amendment is submitted in response to the final Office Action dated June 4, 2010, which set a three-month period for response, making this response due by September 4, 2010, and with the initial two-month period for response expiring on August 4, 2010.

Claims 17-20 and 22-32 are pending in the application.

In the final Office Action, claims 17-20, 22 and 28-32 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 17, 22, 28 and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,005,777 to Fernandez in view of U.S. Patent No. 4,217,788 to Burr et al or U.S. Patent No. 5,605,071 to Buchanan, Jr. Claims 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez in view of Burr or Buchanan and further in view of U.S. Patent No. 4,546,933 to Kanada et al. Claims 30-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez in view of Burr or Buchanan and Kanada and further in view of U.S. Patent No. 4,652,781 to Andrei-Alexandru et al.

In the present amendment, claim 17 has been amended to address the rejections under Section 112, second paragraph. More specifically, claim 17 better clarifies the element that has been designated as a "friction-increasing component" in claim 17. The specification describes an increase of the frictional force, because naturally, from the contact of the first thread of the spiral toothing on the counter-bearing 23, a known amount of friction exists. Claim 17 as amended also defines more clearly the function of the spiral toothing during the pretensioning process and upon a reversal in rotation at the end of the pretensioning process; claim 17 as

amended clarifies that an element for producing a correspondingly sufficient friction at this point is provided, which also prevents the reverse rotation of the spiral toothing.

Claim 17 more clearly defines the function or movement of the spiral toothing during the pretensioning process and at the end of the pretensioning process in order to also more clearly define that the first tooth of the spiral toothing is in contact with the counter-bearing, such that due to a direction of lead of the spiral toothing, a rotation of the spiral toothing (19) in a pretensioning direction is enabled and rotation of the spiral toothing in a direction opposite to said pretensioning direction is prevented by exertion of said load.

The Applicants respectfully submit that the cited reference combinations do not render obvious the subject matter of claim 17 as amended.

As the Applicants have argued many times throughout prosecution of the present application, a great number of differences exist between the present invention and the device disclosed in Fernandez so that the respective devices really are not comparable. The displaceable shaft toothing in Fernandez makes impossible the claimed function of the present invention, specifically that with a reversal of the rotational direction, a blocking of the rotational movement of the spiral toothing takes place. In this connection, it is clear that Fernandez does not only fail to disclose the non-self-locking feature, but other features of the present invention as well. Fernandez is not a suitable or relevant reference that could provide a starting point of the present invention because the construction and technical background of the Fernandez construction differs completely from the purpose and object of the present invention.

The Applicants further maintain that the structure shown in Burr, specifically, the additional brake, cannot be seen as self-locking. The brake provided by Burr is replaced in the present invention by the arrangement of a friction-increasing component. Neither Burr nor Fernandez suggests this modification in any sense. Thus, if one of ordinary skill in the art were to combine Fernandez with Burr as proposed, the present invention still would not be achieved, because Fernandez shows displacement of the spiral toothing on the carrier shaft.

Regarding the combination of Fernandez with Buchanan, again, the Applicants submit that this reference has been misinterpreted. Buchanan shows an axial deviation of the worm toothing on both sides, and in this manner, a self-locking is avoided. More specifically, Buchanan shows only a gear assembly with a non-self-locking arrangement of a worm gearing with a toothed shaft. With overloading in the transmission path, the worm gear arranged in bearings on both sides is axially displaced against a resilient force and thereby avoids an overload.

This construction, however, generally has nothing to do with the object of the present invention, that is, to increase friction such that with a reversal in the direction of rotation of the rotary motion of the shaft, further rotation of the worm gearing is prevented. A reversal of the rotational direction and the reasoning on which it would be based are not mentioned in Buchanan.

Therefore, Buchanan cannot be considered as a relevant reference or source that would lead one of skill in the art in the direction of the present invention. Again, as argued repeatedly throughout prosecution of this case, Fernandez fails to disclose or suggest a number of features of claim 17, not only the non-self-locking

feature, so that a combination of Fernandez and Buchanan could not lead one of skill in the art to the present invention as defined in amended claim 17.

Again, since features of claim 17 as amended are not disclosed or suggested by Fernandez, Burr or Buchanan, a combination of these references as proposed by the Examiner would not result in the present invention. Since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a prima facie case of obviousness as clearly set forth in MPEP section 2143.01.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any comments or suggestions, or wish to discuss the merits of the application, the undersigned would very much welcome a telephone call in order to expedite placement of the application into condition for allowance.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Robert W. Becker", with a stylized flourish at the end.

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